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RESOLUTION 1036 (1996)

Adopted by the Security Council at its 3618th meeting,
on 12 January 1996

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 993 (1995) of 12 May 1995,

Having considered the report of the Secretary-General of 2 January 1996 (S/1996/5),

Reaffirming its commitment to the sovereignty and territorial integrity of Georgia,

Stressing the need for the parties to intensify efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia, fully respecting the sovereignty and territorial integrity of Georgia,

Noting the holding of presidential and parliamentary elections in Georgia in November 1995 and expressing the hope that these will contribute positively to the achievement of a comprehensive political settlement of the conflict in Abkhazia, Georgia,

Reaffirming also the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement of 14 April 1994 on voluntary return of refugees and displaced persons (S/1994/397, annex II),

Deploring the continued obstruction of such return by the Abkhaz authorities,

Deeply concerned over the deterioration in the humanitarian situation, in particular in the Gali region where there is a continued lack of a secure environment,

Deeply concerned also at the rising violence and at the killings being committed in the areas under the control of the Abkhaz side reported in the letter of 8 January 1996 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council (S/1996/9),

Recalling the conclusions of the Budapest summit of the Conference on Security and Cooperation in Europe (S/1994/1435, annex) regarding the situation in Abkhazia, Georgia,

Reaffirming the necessity for the parties to comply strictly with international humanitarian law,

Noting that the Moscow Agreement of 14 May 1994 on a Cease-fire and Separation of Forces (S/1994/583, annex I) has generally been respected by the parties with the assistance of the Commonwealth of Independent States (CIS) peace-keeping forces and the United Nations Observer Mission in Georgia (UNOMIG),

Expressing its satisfaction with the close cooperation and coordination between UNOMIG and the CIS peace-keeping force in the performance of their respective mandates and commending the contribution both have made to stabilize the situation in the zone of conflict,

Expressing concern about the safety and security of UNOMIG and CIS personnel and stressing the importance it attaches to their freedom of movement,

Noting that the forthcoming meeting of the Council of Heads of State of the CIS to be held in Moscow on 19 January 1996 will consider the extension of the mandate of the CIS peace-keeping force,

1. Welcomes the report of the Secretary-General of 2 January 1996;

2. Expresses its deep concern at the continued deadlock in the efforts to achieve a comprehensive settlement of the conflict in Abkhazia, Georgia;

3. Reaffirms its full support for the efforts of the Secretary-General aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to continue his efforts, with the assistance of the Russian Federation as facilitator, and with the support of the Organization for Security and Cooperation in Europe (OSCE), to that end;

4. Calls upon the parties, in particular the Abkhaz side, to achieve substantive progress without further delay towards a comprehensive political settlement and further calls upon them to cooperate fully with the efforts undertaken by the Secretary-General with the assistance of the Russian Federation as facilitator;

5. Demands that the Abkhaz side accelerate significantly the process of voluntary return of refugees and displaced persons by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees, and further demands that it guarantee the safety of spontaneous returnees already in the area and regularize their status in accordance with the Quadripartite Agreement;

6. Calls upon the Abkhaz side in that context to promote, as a first step, the return of refugees and displaced persons to the Gali region, in safety and dignity;

7. Condemns the ethnic killings and continuing human rights violations committed in Abkhazia, Georgia, and calls upon the Abkhaz side to ensure the safety of all persons in areas under its control;

8. Calls upon the parties to improve their cooperation with UNOMIG and the CIS peace-keeping force in order to provide a secure environment for the return of refugees and displaced persons and also calls upon them to honour their commitments with regard to the security and freedom of movement of all United Nations and CIS personnel and with regard to UNOMIG inspections of heavy weapons storage sites;

9. Welcomes the additional measures implemented by UNOMIG and the CIS peace-keeping force in the Gali region aimed at improving conditions for the safe and orderly return of refugees and displaced persons, and all appropriate efforts in this regard;

10. Expresses its full support for the elaboration of a concrete programme for the protection and promotion of human rights in Abkhazia, Georgia, as described in the Secretary-General's report of 2 January 1996 and calls upon the Abkhaz authorities to cooperate fully with the efforts to this end;

11. Decides to extend the mandate of UNOMIG for an additional period terminating on 12 July 1996 subject to a review by the Council of the mandate of UNOMIG in the event of any changes that may be made in the mandate of the CIS peace-keeping force;

12. Reiterates its encouragement to States to contribute to the voluntary fund in support of the implementation of the Agreement on a Cease-fire and Separation of Forces signed in Moscow on 14 May 1994 and/or for humanitarian aspects including demining, as specified by the donors;

13. Requests the Secretary-General to continue to keep the Council regularly informed and to report after three months from the date of the adoption of this resolution on all aspects of the situation in Abkhazia, Georgia, including the operations of UNOMIG;

14. Decides to remain actively seized of the matter.

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